IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 24th day of June 2005
1st Crl. Bail Application No. 591 of 2005

Order on the Bail Application of accused:

CRIMINAL SIDE

Pankaj S/o Paritosh Pal
R/o Bangali Indira Colony,
Rudrapur, P.S. Rudrapur
District Udham Singh Nagar .....Applicant

Versus

State of Uttaranchal

.....Opposite Party

Arising out of Case crime No. 2205 of 2004
Under Section: 302 of I.P.C.
Police Station: Rudrapur
District: Udham Singh Nagar.

Hon'ble J.C. S. Rawat, J.

Heard Sri Manish Arora, learned counsel for the applicant and learned Asstt. Government Advocate and perused the State.

The only evidence which has been alleged against the applicant is that the wife and brother of the deceased has last seen the deceased in the company of the accused. It was also contended that the first information report was lodged after the lapse of five days. It was further contended that the recovery of pant was a joint recovery made at the instance of both the accused. Considering the facts and totality of the circumstances of the case, it is a fit case for bail.

Let the applicant namely, Pankaj be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

(J.C. S. Rawat, J.)

Dated 24.06.2005
HN